

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF DAKOTA

FIRST JUDICIAL DISTRICT

In Re the Matter of:

**Continuance Policy for
Felony and Gross Misdemeanor Matters**

**ORDER IMPLEMENTING
CONTINUANCE POLICY AND
APPOINTING JUDGE TO
IMPLEMENT AND OVERSEE
POLICY**

WHEREAS, Article 1, Section 6 of the Minnesota Constitution provides that in all criminal prosecutions the accused shall enjoy the right to a speedy trial, and

WHEREAS, the Minnesota Rules of Criminal Procedure recognize the need for the “speedy determination of criminal proceedings” and provide strict time lines within which hearings and trials should be scheduled and decisions rendered to ensure the timely disposition of criminal matters, and

WHEREAS, the Judicial Branch established case disposition standards to ensure the timely disposition and speedy trial of criminal matters pending in the trial courts of Minnesota, and.

WHEREAS, it is the responsibility of each County to ensure that criminal cases are disposed in a manner that is fair, efficient and consistent with the Constitution, the Minnesota Rules of Criminal Procedure and the established disposition standards, and

WHEREAS, frequent continuances of hearings and trials in criminal matters have jeopardized the Court’s ability to provide speedy trials and to dispose of matters within the established disposition standards, and

WHEREAS, the judges chambered in Dakota County, at their quarterly meeting on May 12, 2006, agreed to implement a new continuance policy and authorized Judge McManus to oversee the new policy,

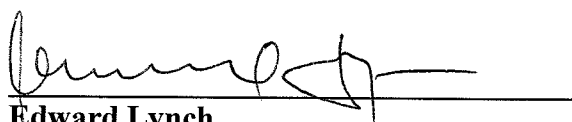
NOW, THEREFORE, THE COURT MAKES THE FOLLOWING:

ORDER

1. Effective July 1, 2006, upon motion and for good cause related to the particular case, a maximum of two continuances shall be granted in any felony or gross misdemeanor case filed in Dakota County District Court. A "continuance" for purposes of this Order is a rescheduling of any omnibus hearing or trial date set at or after the initial appearance pursuant Rule 8 of the Minnesota Rules of Criminal Procedure.
2. Judge Timothy J. McManus is hereby authorized by the judges of Dakota County to implement and oversee this continuance policy.
3. Any requests for additional continuances, after two continuances have previously been granted pursuant to paragraph 1 of this Order, must be made upon written or oral motion for good cause related to the particular case to Judge McManus or Judge McManus' designee. No continuance shall be granted unless the process established by this Order is followed.

May 31, 2006

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Edward Lynch', is written over a horizontal line.

Edward Lynch
Assistant Chief Judge
First Judicial District